

ISSUE DATE: November 1, 1996

DOCKET NO. P-421/EM-96-1188

ORDER SUSPENDING PROPOSED TARIFF CHANGE AND ESTABLISHING  
COMMENT PERIOD

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Joel Jacobs  
Marshall Johnson  
Dee Knaak  
Mac McCollar  
Don Storm

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of USWC's Request to Eliminate  
the Presubscription Nonrecurring Change  
Charge for Customers Switching to USWC for  
IntraLATA Toll Service

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**PROCEDURAL HISTORY**

On February 16, 1996, US WEST Communications, Inc. (USWC), by Order of the Commission began to provide 1+ equal access for intraLATA toll services in its exchanges. When end users choose to receive 1+ toll service from a different provider, they incur a \$5.00 primary interchange carrier ("PIC") charge for requesting to switch to a different carrier.

On October 7, 1996, USWC filed a proposal to eliminate the PIC change charge for customers switching to USWC for intraLATA toll service.

The Commission met to consider this matter on October 29, 1996.

**FINDINGS AND CONCLUSIONS**

In its filing, USWC stated that it intended to put the change into effect on October 28, 1996 but later agreed to a two-week extension of that effective date to November 11, 1996.

The Commission notes that under the Company's proposal the PIC change charge would be eliminated for a customer selecting USWC as their intraLATA toll provider but would remain in effect for end users switching to any other intraLATA toll provider. The Commission questions whether this proposal has anti-competitive implications for the intraLATA toll market and finds the record is not adequately developed on that point. Since USWC's agreement to delay implementation until November 11, 1996 does not provide sufficient time for thorough analysis of this issue, the Commission will suspend USWC's proposed change pursuant to Minn. Stat. § 237.63, subd. 7 until this matter can be investigated further. To aid its investigation, the Commission will provide a copy of USWC's filing to all interexchange carriers (IXCs) and local exchange carriers (LECs) in Minnesota and solicit their comments.

## **ORDER**

1. USWC's proposal in this matter, filed October 7, 1996, is suspended pending further Order of the Commission.
2. This Order, together with a copy of USWC's October 7, 1996 filing, is hereby served upon all interexchange carriers (IXCs) and local exchange carriers (LECs) in Minnesota.
3. Within 30 days of this Order, any IXC, LEC, or interested party may file comments regarding USWC's proposal.
4. Within 20 days after expiration of the comment period authorized in Ordering Paragraph 3, any IXC, LEC or interested party may file reply comments.
5. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

(S E A L)

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